



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Walke *et al.*

Group Art Unit: 1654

SEP 30 2003

Application No.: 09/813,290

Examiner: B. D. Chism

TECH CENTER 1600/2900

Filed: 03/20/01

Title: Novel Human Secreted Proteins and
Polynucleotides Encoding the Same

Atty. Docket No. LEX-0151-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF

Commissioner for Patents
Alexandria, VA 22313

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed May 20, 2003 (paper no. 14) finally rejecting Claims 1-4, 11 and 12.

The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$160.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

A Petition for an Extension of Time of one month and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(1) from Applicants' Representatives' deposit account are included.

With this extension, the response is due on September 20, 2003, which falls on a Saturday. The period for response is therefore extended until September 22, 2002 under 37 C.F.R. § 1.7. This communication is thus timely filed. Applicants believe no fees in addition to the fees for filing the Notice of Appeal and the extension of time are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this

communication, the Commissioner is authorized to charge any underpayment or credit any overpayment to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

Respectfully submitted,

September 22, 2003

Date



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